

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAFAYETTE DIVISION**

**UNITED STATES OF AMERICA**

**CRIMINAL ACTION 00-60029-01**

**VERSUS**

**JUDGE TUCKER L. MELANÇON**

**JOHN TIMOTHY COTTON**

**MAGISTRATE JUDGE HANNA**

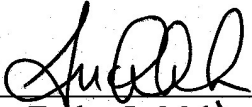
**JUDGMENT**

John Timothy Cotton's motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence (Rec. Doc. 781) was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation, *R. 846*. After an independent review of the record, and consideration of the objections filed<sup>1</sup>, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own.

Accordingly, it is

**ORDERED** that John Timothy Cotton's Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence (Rec. Doc. 781) is **DENIED AND DISMISSED WITH PREJUDICE**.

Thus done and signed in Lafayette, Louisiana, this 21<sup>st</sup> day of March, 2011.

  
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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE

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<sup>1</sup> In his objection, petitioner requests an evidentiary hearing and, in the alternative, that the Court "grant Summary Judgment in Petitioner's favor as a Matter of Law." As such pleadings were not included in petitioner's "28 U.S.C. § 2255 motion", they are not properly before the Court. Based on the Magistrate Judge's findings in the Report and Recommendation, however, any such pleadings would be denied.